U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, D.C. 20590

DEC - 4 2008

The Honorable Mark V. Rosenker
Acting Chairman
National Transportation Safety Board
490 L'Enfant Plaza East, S.W.
Washington, DC 20594

Dear Chairman Rosenker:

This letter provides a high level update on open pipeline safety recommendations issued by the National Transportation Safety Board (NTSB) to the Pipeline and Hazardous Materials Safety Administration (PHMSA). We take our responsibilities to the NTSB seriously and, as we hope this letter documents, we are making good progress on implementing the Board's recommendations. Our senior staff met with your staff on October 30 to provide a more detailed review of our progress. Recently PHMSA requested closure on open safety recommendations P-05-05 and P-07-09. For that reason updates on those two recommendations are not included in this letter.

P-98-02

Safety recommendation P-98-02 asked that PHMSA determine the extent of susceptibility to premature brittle-like cracking of older plastic piping that remains in use for gas service nationwide. The Plastic Pipe Database Committee, which includes representatives from PHMSA, NTSB, American Gas Association, American Public Gas Association, Plastics Pipe Institute, Gas Research Institute, industry, and State regulators, recently completed collecting data and preparing a table for in-service plastic piping material failures. The data collected from 2001 to present, on the Nation's natural gas distribution systems includes both actual failure information and negative reports submitted voluntarily by participating pipeline operating companies. The data indicates the susceptibility of additional specific materials to brittle-like cracking.

Based on the findings, on September 6, 2007, PHMSA issued an updated notification of the susceptibility of premature brittle-like cracking of vintage plastic pipe. Additionally, our Gas Distribution Integrity Management Program Report found need for the American Society for Testing and Materials (ASTM) to consider enhancing performance testing for plastic pipe fittings. ASTM is currently addressing these issues. Further, PHMSA has also gone beyond the recommendation and is considering requiring operators to report by telephone or through PHMSA's website suspect older plastic pipe resulting from failure as part of a distribution integrity management program. We issued an NPRM "Pipeline Safety: Integrity Management

Program for Gas Distribution Pipelines" on June 25, 2008, and hope to finalize this rulemaking by summer 2009.

P-99-12

Safety recommendation P-99-12 asked that PHMSA address fatigue issues for pipeline dispatchers and operators (also known as controllers). It specifically calls upon PHMSA to establish scientifically based hours-of-service regulations for pipeline controllers with limits, provide predictable work and rest schedules, and consider circadian rhythms and human sleep rest requirements.

In a January 2007 report to the Congress on the Controller Certification Project, PHMSA identified shift length, schedule rotation, and education in fatigue mitigation strategies as fruitful elements in a control room risk program that would address fatigue. The Pipeline Inspection, Protection, Enforcement, and Safety Act of 2006 (PIPES Act) requires regulations for each operator of a gas or hazardous liquid pipeline to develop a plan, subject to PHMSA review, to reduce pipeline system risk associated with human factors, including fatigue. The Act also requires PHMSA to amend its forms for operators to report gas and hazardous liquid pipeline accidents. A Federal Register notice seeking approval for additional Information Collection request published September 4, 2008. Information Collection forms will be effective January 2009.

PHMSA held a workshop on May 23, 2007 that addressed best practices in this area and developed a regulatory proposal for Control Room Management. PHMSA issued a Notice of Proposed Rulemaking (NPRM) "Pipeline Safety: Control Room Management/Human Factors" on September 12, 2008. PHMSA anticipates publishing a final rule in the summer of 2009.

P-01-02

Safety recommendation P-01-02 asked that PHMSA require that excess flow valves be installed in all new and renewed gas service lines, regardless of a customer's classification, when the operating conditions are compatible with readily available valves. The PIPES Act requires PHMSA to prescribe minimum distribution integrity management standards by December 31, 2007. The Act also includes a requirement for gas distribution operators to install excess flow valves (EFVs) on lines serving single-family residences installed or entirely replaced beginning June 1, 2008. This is one of PHMSA's highest regulatory priorities.

PHMSA issued an NPRM "Pipeline Safety: Integrity Management Program for Gas Distribution Pipelines" on June 25, 2008. As noted above, we hope to finalize this rule by summer 2009. This notice includes mandatory installation of EFVs on new or replaced service lines on single residences as specified by the PIPES Act and recommended by the NTSB. The PHMSA Administrator requested cooperation from State Commissioners in reminding operators of their responsibilities under the statute to begin installing EFVs on June 1, 2008. State pipeline safety agencies, which oversee most distribution operators, have been actively encouraging operators to

begin these installations for some time. In addition, PHMSA issued an Advisory Bulletin on June 5, 2008, advising operators of the statutory requirement to install EFVs on service lines.

P-04-01

Safety recommendation P-04-01 asked that PHMSA remove the exemption in regulations that permits pipe to be placed in natural gas service after pressure testing when the pipe cannot be verified to have been transported in accordance with the American Petroleum Institute's (API) recommended practice RP5L1.

PHMSA anticipates requesting the NTSB to rescind this recommendation based on information PHMSA gathered on cyclic fatigue in natural gas transmission pipelines and the unlikely presence of pre-November 12, 1970 line pipe in operators' inventories. A report articulating this position will be prepared for submission to the NTSB in December 2008.

P-04-02

Safety recommendation P-04-02 asked that PHMSA amend regulations to require that natural gas pipeline operators and hazardous liquid operators follow API-recommended practice for transportation of pipe on marine vessels. PHMSA intends to incorporate the American Petroleum Institute's (API's) revised version of RP 5LW by reference in a miscellaneous rulemaking update once API completes the standard. The standard is expected to be completed by the end of 2008 and would at that time be considered for incorporation into our code through rulemaking.

P-04-03

Safety recommendation P-04-03 asked that PHMSA evaluate the need for a truck transportation standard to prevent damage to pipe and, if needed, develop the standard and incorporate it into regulations for both natural gas and hazardous liquid line pipe. PHMSA closely monitored progress and the results of research sponsored by Pipeline Research Council International (PRCI) on truck transportation of pipe. We are satisfied with the approach of research, which indicated no known examples of truck transportation related fatigue failures. The research also indicated that dynamic stresses induced on pipe transported by truck are up to two times greater than vibrations from transporting by rail.

The API 5L committee is developing a recommended practice (RP) for truck transportation of steel line pipe in follow up to the final PRCI report investigating transportation related fatigue. The RP is anticipated to be completed by the first quarter of 2009 and PHMSA intends to incorporate by reference the newly developed RP through a miscellaneous regulations update in the fourth quarter of 2009.

P-05-01

Safety recommendation P-05-01 asked that PHMSA require operators of hazardous liquid pipelines to follow the American Petroleum Institute's Recommended Practice 1165 for the use of graphics on the Supervisory Control and Data Acquisition (SCADA) screens. In January 2007, PHMSA submitted a report to the Congress on the project that identified several areas for enhancing safety including improved graphics on SCADA screens, alarms, and training. On May 23, 2007, PHMSA held a public workshop that addressed best practices in addressing fatigue, man-machine interface, and qualifications and training. The PIPES Act requires PHMSA to issue regulations requiring operators to use the API's RP 1165.

PHMSA issued an NPRM "Pipeline Safety: Control Room Management/Human Factors" on September 12, 2008. The NPRM addresses both the congressional direction and the NTSB recommendations on the use of graphics, review of alarms, controller training, and controller fatigue. PHMSA anticipates publishing a final rule in the summer of 2009.

P-05-02

Safety recommendation P-05-02 asked that PHMSA require pipeline companies to have a policy for the review/audit of alarms.

In January 2007, PHMSA submitted a report to the Congress on the project that identified several areas for enhancing safety including improved graphics on SCADA screens, alarms, and training. On May 23, 2007, PHMSA held a public workshop that addressed best practices in addressing fatigue, man-machine interface, and qualifications and training. The PIPES Act requires PHMSA to issue regulations requiring operators to review and audit alarm systems.

PHMSA issued an NPRM "Pipeline Safety: Control Room Management/Human Factors" on September 12, 2008. The NPRM address both the congressional direction and the NTSB recommendations on use of graphics, review of alarms, controller training, and controller fatigue. PHMSA anticipates publishing a final rule in the summer of 2009.

P-05-03

Safety recommendation P-05-03 asked that PHMSA require controller training to include simulator or non-computerized simulations for controller recognition of abnormal operating conditions, in particular, leak events.

In January 2007, PHMSA submitted a report to the Congress on the project that identified several areas for enhancing safety including improved graphics on SCADA screens, alarms, and training. PHMSA held a public workshop on May 23, 2007 that addressed best practices in addressing fatigue, man-machine interface, and qualifications and training. The PIPES Act requires PHMSA to issue regulations by June 1, 2008, requiring operators to review and audit alarm systems.

PHMSA issued an NPRM "Pipeline Safety: Control Room Management/Human Factors" on September 12, 2008. The NPRM address both the congressional direction and the NTSB recommendations on use of graphics, review of alarms, controller training, and controller fatigue. PHMSA anticipates publishing a final rule in the summer of 2009.

P-05-04

Safety recommendation P-05-04 asked that PHMSA change the liquid accident reporting form (PHMSA F 7000-1) and require operators to provide data related to controller fatigue. PHMSA agrees with this recommendation and has developed a draft accident form that was reviewed by industry and State pipeline partners. PHMSA published the draft form for comment on September 4, 2008 and anticipates having the new form in place in early 2009.

P-07-07 and 08

Safety recommendation P-07-07 asked that PHMSA require (in 49 CFR 195.52) that a pipeline operator must have a procedure to calculate and provide a reasonable initial estimate of released product in the telephonic report to the National Response Center. Safety recommendation P-07-08 asked that PHMSA require (in 49 CFR 195.52) that a pipeline operator must provide an additional telephonic report to the National Response Center if significant new information becomes available during the emergency response.

PHMSA is modifying the hazardous liquid operator telephonic notification regulation to require operators to have a procedure to calculate and provide a reasonable initial estimate of released product and maintain a record of the procedure used. We are also modifying the regulation to require operators to provide an additional telephonic report to the National Response Center if significant new information becomes available during the emergency response phase. The National Response Center will give these telephonic updates a new report number and if available will provide reference to the old report number for tracking purposes. PHMSA anticipates having the rule out for public comment in December 2008.

PHMSA continues to work aggressively to close all open recommendations issued by the NTSB. If you, or your staff, have any questions, please feel free to contact me at 202-366-4433.

Respectfully,

R. Kowalewski

Rick Kowalewski
Acting Assistant Administrator/
Chief Safety Officer